

The opinion in support of the decision being entered today was  
*not* written for publication and is *not* binding precedent of the Board.

Paper No. 22

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

---

Ex parte HIROYUKI ONO et al.

---

Appeal No. 2002-1764  
Application 09/359,752

---

ORDER VACATING ORAL HEARING  
AND ORDER REMANDING TO EXAMINER

---

The Oral Hearing scheduled for October 8, 2002, at 9:00  
a.m., 1225 Jefferson Davis Highway, Crystal Gateway 2, Arlington,  
VA 22202, has been vacated without prejudice.

An Information Disclosure Statement (IDS) was filed on July  
19, 2002, (Paper No. 21), and has been matched with this  
application at the Board of Patent Appeals and Interferences.  
The IDS needs to be considered by the Examiner with respect to  
compliance with the criteria set forth in 37 CFR §§ 1.97 and

Appeal No. 2002-1764  
Application 09/359,752

1.98. A communication notifying applicant of the Examiner's decision is required.

Accordingly, it is

ORDERED that the application is remanded to the Examiner for such consideration of the IDS, appropriate notification to the applicant, and for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By: \_\_\_\_\_  
CRAIG R. FEINBERG  
Program and Resource Administrator

Appeal No. 2002-1764  
Application 09/359,752

Matthew Johnston, Esq.  
Liniak, Berenato, Longacre & White  
6550 Rock Spring Drive  
Suite 240  
Bethesda, MD 20817

CRF:llf